

death, resignation, or otherwise, in any of the following offices, to-wit: secretary of state, auditor, treasurer, superintendent of public instruction, attorney-general, solicitor, justices of the supreme court, and judges of the superior court, the same shall be filled by elections, to be held in the manner and places, and under the same regulations and rules, as prescribed for general elections at the next regular election for members of the general assembly, which shall occur not more than thirty days after such vacancy, except as otherwise provided for in the constitution.

Vacancies in state offices and judicial offices to be filled by election, &c.

SEC. 59. That when a vacancy occurs in the general assembly by death, resignation, or otherwise, it shall be the duty of the sheriff of the county in which the late member resided, if the general assembly shall not be in session, to notify the governor of such vacancy, and in case the general assembly shall be in session when such vacancy occurs, it shall be the duty of the presiding officer of the house in which the vacancy occurs to notify the governor of the same, who shall, thereupon, issue a writ of election to the sheriff or sheriffs of the district or county represented by the late member; said election to be held at such time as the governor may designate, and in such manner as may be prescribed by law.

How vacancies in general assembly filled.

SEC. 60. That every election held in pursuance of a writ from the governor, shall be conducted in like manner as the regular biennial elections, so far as the particular case can be governed by the general rules, and shall, to all intents and purposes, be as legal and valid, and subject the officers holding such elections, and persons elected thereat, to the same penalties and liabilities as if the same had been held at the time and according to the rules and regulations prescribed for the regular biennial elections.

Special elections held and conducted as regular elections.

SEC. 61. That any person who shall give away, or sell, any intoxicating liquors, except for medical purposes, and upon the prescription of a practicing physician, at any place within five miles of the polling place, at any time within twelve hours next preceding or succeeding any public election, whether general, local, or municipal, or during the holding thereof, shall be guilty of a misdemeanor, and fined not less than one hundred nor more than one thousand dollars.

Intoxicating liquors not to be sold or given away at any place in five miles of a polling place.

SEC. 62. That, unless otherwise provided by law, all general elections shall be held on the Tuesday next after the first Monday in November of the year in which there shall be an election.

Penalty.

When general elections held.

ELECTORS OF PRESIDENT AND VICE-PRESIDENT OF THE UNITED STATES.

Elections for president and vice-president, when and how elected.

SEC. 63. That on the Tuesday next after the first Monday in